

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
ALEXANDRIA DIVISION

UNITED STATES OF AMERICA                   \*     CRIMINAL ACTION  
   \*     NUMBER 07-10030-01  
   \*  
vs.   \*     December 12, 2007  
   \*     11:11 a.m.  
   \*  
RICHARD L. McNAIR                         \*     Alexandria, Louisiana  
   \*  
\* \* \* \* \*

INITIAL APPEARANCE, ARRAIGNMENT, and DETENTION HEARING

Certified transcript of proceedings before the Honorable  
James D. Kirk, United States Magistrate Judge.

APPEARANCES:

FOR THE GOVERNMENT:     James G. Cowles, Jr.  
   United States Attorney's Office  
   300 Fannin Street, Suite 3201  
   Shreveport, Louisiana 71101-3068

FOR THE DEFENDANT:     Wayne J. Blanchard  
   Federal Public Defenders Office  
   102 Versailles Boulevard, Suite 816  
   Lafayette, Louisiana 70501

REPORTED BY:             Myra Primeaux, RMR, CRR  
   Post Office Box 348  
   Alexandria, Louisiana 71309-0348  
   Phone: (318) 442-3080

Proceedings recorded by mechanical stenography, transcript  
produced by computer.

1           THE COURT: The last matter on the docket here  
2 this morning is *United States v. Richard L. McNair*.

3           Mr. McNair, would you stand up, please, sir?

4           Madam Clerk, would you swear Mr. McNair to tell the  
5 truth?

6           (Defendant sworn.)

7           THE COURT: Mr. McNair, do you understand, sir,  
8 that you are here for the purpose of entering a plea to the  
9 charges against you?

10          THE DEFENDANT: Yes, Your Honor.

11          THE COURT: And have you had a chance to read the  
12 charges in the indictment?

13          THE DEFENDANT: Yes, Your Honor.

14          THE COURT: And have you had an adequate  
15 opportunity to discuss with your attorney, Mr. Blanchard,  
16 those charges?

17          THE DEFENDANT: Yes, Your Honor.

18          THE COURT: Do you want me to read the indictment  
19 to you?

20          THE DEFENDANT: No, Your Honor.

21          THE COURT: All right. I do need to advise you,  
22 though, of the maximum possible penalty. You're charged  
23 with a violation of 18 U.S.C. Section 751, which is escape  
24 from confinement after conviction. The maximum possible  
25 penalty is a five-year prison term, a \$250,000 fine, a \$100

1 Criminal Victim Fund assessment, one year minimum to five  
2 years maximum probation, and up to three years supervised  
3 release.

4 Do you understand, Mr. McNair, that if you plead  
5 guilty or if you are convicted after trial, that those are  
6 the maximum possible penalties and, in the case of  
7 probation, the minimum possible penalty that you could  
8 receive?

9 THE DEFENDANT: Yes, Your Honor.

10 THE COURT: With that understanding, how do you  
11 plead?

12 THE DEFENDANT: Not guilty, Your Honor.

13 THE COURT: Let the not guilty plea be entered.  
14 Trial will be set in a conference before me. The attorneys  
15 to be notified of the date and time of the conference. I  
16 am signing a criminal pretrial discovery order and  
17 providing the attorneys with copies of it.

18 And a detention order was previously signed as to Mr.  
19 McNair, and I assume that circumstances have not changed.

20 Mr. Blanchard, is that correct, sir?

21 MR. BLANCHARD: I don't believe they have, Your  
22 Honor.

23 THE COURT: So Mr. McNair will continue to be  
24 detained for purposes of this proceeding pursuant to that  
25 order.

1           Mr. Cowles, anything further with regard to Mr.  
2 McNair's case or any of these cases?

3           MR. COWLES: No, sir.

4           THE COURT: Mr. Blanchard?

5           MR. BLANCHARD: I don't believe so.

6           THE COURT: All right. That concludes matters.  
7 Each of the defendants is remanded to the custody of the  
8 federal marshals.

9                       (End of proceedings at 11:14 a.m.)

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C E R T I F I C A T E

I, Myra Primeaux, Official Court Reporter, do hereby  
certify that the foregoing pages numbered 1 through 4 do  
constitute a true and correct record of proceedings had in  
said Initial Appearance, Arraignment, and Detention Hearing  
to the best of my ability and understanding.

I certify that the transcript fees and format comply  
with those prescribed by the court and the judicial  
conference of the United States.

Subscribed and sworn to this 8th day of March, 2009.

s/ Myra Primeaux

MYRA PRIMEAUX, RMR, CRR  
U.S. Court Reporters Office  
Post Office Box 348  
Alexandria, Louisiana 71309  
Phone: (318) 442-3080